RICHMOND, VA., TUESD AY, NOVEMBER 24, 1908.

## **DEATH COMES TO** JUDGE W. J. LEAKE

Distinguished Career of Noted Virginian Ends Quietly After Long Illness.

ONCE PRESIDENT OF R., F. & P. RAILROAD

Served Gallantly in Confederate Army, Afterward Being Elevated to Chancery Court . Bench-Funeral To-Morrow Afternoon at 3:30 o'Clock.

HOUGH for more than a month all hope of his permanent res-toration to health had been de-spaired of by his family and friends, the announcement of the death of William Josiah Leake at haif-past 3 o'clock yesterday afternoon, at his residence, No. 915 Park Avenue, in this city, came as a distinct shock to this community. More than six months ago Judge Leake was confined to his home with iliness, but no one at the time, or for a long time afterwards, thought him seriously affilicted. When he failed to recover as rapidly as was expected, he went to the Hot Springs, Va., and it was fhought he had received substantial benefit while there, and it was not until his return home that the seriousness of his illness, which finally caused his death, developed.

While Judge Leake had not always the death of William Josiah Leake at

While Judge Leake had not always

While Judge Leake had not always resided here, there was no man in the fity who was more widely known, more admired, or better loved than he, and his death causes a vacancy in business and social circles that can with difficulty be filled.

Born at "Cleveland," in Goochland county, Va., on September 39, 1843. William Josiah Leake received his sariy education at local schools and a glassicat education at the well known echool of St. George Tucker, of Ashland, Hanover county, Va. Immediately preceding the war, his father having met with financial reverses, he became with financial reverses, he became page at the famous convention at iich Virginia seceded, and in that capacity he is still remembered by those who attended the convention in those momentous days.

At the outbreak of the war he on-

At the outbreak of the war he en-ered the Confederate Army in the loochland Artillery commanded by aptain (afterwards Colonel) John H.

Guy.

At the close of the war Judge Leake read law in the offices of Mr. Alexander H. Sands, and upon his admission to the bar formed a co-partnership with that well-known lawyer and legal author, under the firm name of Sands & Leake. Within a few years thereafter Mr. Hill Carter became a member of the firm, and with him Judge Leake had ever since been associated, and under the firm name of Leake & Carter, upon the death of Mr. Sands.

Appointed to the Bench.

Appointed to the Bench.

Appointed to the Bench.

Having shown conspicuous ability in thancery maters as a commissioner in thancery, he was made judge of the Chancery Court of Richmond in 1890, o succeed Judge Fitzhugh, deceased, by Governor McKinney, upon the unanmous recommendation of the local bar luring the vacation of the Legislature. During his term of office he rendered many important decisions, the foremost of which was probably that in the And the proposal property of the state of the Legislating for the state of the Legislating for the Lindson of t Chancery Court of Richmond in 1899, to succeed Judge Fitzhugh, deceased, by Governor McKinney, upon the unandamous recommendation of the local barduring the vacation of the Legislature. During his term of office he rendered many important decisions, the foremost of which was probably that in the Betty Lewis Thomas will case, his detision having been afterwards affirmed by the Supreme Court of Appeals of this State. The requirements and exactions of the bench, however, and exactions of the terminal state and his habits of work, and after eighteen months of the terminal state of affairs existing because our citizenship has taken so littered.

which he was more proud than his record as a Confederate soldier.

His Family.

Judge Leake was married twice, his first wife being Sarah R. Jordan, the daughter of J. M. Jordan, of Prince George county, Va. By this marriage there were born three children—Fannie K. Patton, wife of Rev. J. L. Patton, of San Antonio, Texas; J. Jordan Leake and Stuart C. Leake. His second marriage was to Clara Háxall Beirne, daughter of Thomas Bellanp and Clara Grundy, of Ashland, Hanover county, Va., and widow of Richard F. Beirne, the well-known journalist and editor of the State.

A meeting of the Richmond Bar Association has been called to take action on the death of Judge Leake for 12 o'clock M. on Wednesday, November 25th, at the Chamber of Commerce.

The executive committee of the Virginia Historical Society will meet at 5 o'clock this afternoon.

The collowing is a list of the active.

o'clock this afternoon.

The following is a list of the active and honorary pall-bearers who will act at the funeral, which will be held from (Continued on Last Page)

GETS MESSAGE

Iteles Hace, From New York Ends In Washintory of the Control Head of Control Beach, the New York to Washintory of the Lands of Cordon Lesch, the Skew York to Washintory of the Lands of Cordon Lesch, the Skew York to Washintory of the Lands of Cordon Lesch, the Skew York to Washintory of the Lands of Cordon Lesch, the Skew York to Washintory of the Lands of Cordon Lesch, the Skew York to Washintory of the President was seated to the Treatment of the Lands of Cordon Lesch, the Skew York to Washintory of the President was seated to the Treatment of the Lands of Cordon Lesch, the Skew York to Washintory of the President was seated to the International Control Lesch Cont

### CARNEGIE INVITED

Committee on Ways and Mens Seeks Light on the Tariff.

Washington, D. C., November 23—As a result of the declaration of Andrew Carnegie that the schedules on iron and steel should be reduced, the Ways and Mens Committee of the Ways and Mens Committee of the Ways and Mens Committee of the Ways and the possibility of the reducing to of the tariff on iron and steel industry and the possibility of the reducitions.

No reply had been received from Mr. Carnegie to appear before it this week to tell what he knows about the steel industry and the possibility of the reducition of the tariff on iron and steel productions.

No reply had been received from Mr. Carnegie by the committee when it took a recess at 11 o'clock to-night until to-morrow, but as the telegram of invitation was not sent until late, no reply is expected until to-morrow. At the afternoon session of the tariff, hearing, William Burgess, of Trenton, N. J., representing the Manufacturing Potters' Association of the United States, and W. E. Wells, of Newell, W. Va., favored an increase in the duty on imported china. They favored the proposition to assess the duty on crockery according to the American market price, instead of the foreign valuation. Undervaluation by importers was one of the principal subjects discussed. Champ Clark declared that this alleged undervaluation is the only argument the manufacturers present for an increase in the tariff.

"If this undervaluation of invoices could be broken up," said Mr. Clark, "the pottery men of the United States could stand for a reduction in the tar-fit."

"No, they could not," declared the witness.

"Why could not they, if they are

"No, they could not," declared the

witness.

"Why could not they if they are being gouged by this undervaluation?" pursued Mr. Clark.
"Because they are not being gouged by all of the importers," was the reply.

## **ALARMING CONDITIONS**

Federal Judge Refers to the Recent Happenings in Tennessee.

the neople of San Francisco to surrenter, you are not justified now in with drawing the fleet and again placing the mand their neighbors on the whole coast in precisely the same defenseless nosition."

Conditions that have no counterparts in the Atlantic exist, Hobson says, and it would be a national and international calamity to withdraw the fleet.

M'KINLEY'S CHIEF

Colouel of His Civil War Regiment Dies on a Trab.

BRAZIL, IND., November 23.—Colonel W. H. Zinmerman, of this city died late vesterday on a Queen and Crescent train as it was entering Macon, Ga. Colonel Zimmerman went to Ffordia several weeks ago on account of his health, but became very ill a week ago and started for home. He was born in Ohlo seventy-two years ago.

He was colonel of the regiment in which the late Precident in Michigan Methodist Episconal Charach Final Methodist

who was in Chicago Monday, en toute to Weshington placed with the control of record in favor of the relation of the control of control of the control of the

ms to do. I belong to the state of man."

At the opening of the hearing Mr. Rockefeller said that he thought there was an increase in the stock of the Standard Oil Company of Ohlo from \$1.500.000 to \$3.500.000 in 1875.

"How many railroad men did you take into the Standard after 1870?"

"I could not say."

"I could not say."

The Governor found much promise in the fact that the descendants of the Old Dominion had increased from 100.000 to 5.000.000, distributed all over the United States.

Tribute to Confederacy.

Tribute to Confederacy.

Obeyed Court's Order.

Mr. Rockefelier said that the Standard Oil trust was dissolved in 1892 in obedience to an order of the courts. A majority of the stocks held by the trust was distributed to the individual stockholders, but the trustees continued to hold a large number of shares, which were not liquidated at first. Mr. Rockefelier and H. H. Rogers were among those who surrendered their trust certificates and obtained stock in the original company, he said. From 1892 to 1899 the subsidiary companies were conducted by their various officers and hoards of directors elected by their own stockholders.

After the dissolution of the trust the stockholders of the individual companies, he said, maintained the same relations as before with those who were still in the trust. The Standard Oil Company of Ohio, and the Solar Refining Company were among the conpetitors of the trust after the dissolution.

"Then each company was independ-(Continued on Second Page.)

WEATHER. Rain.

Guarded by Officers, Situation at Pensacola, Florida, is Relieved.
PENSACOLA. FLA. November 23.—
Three hundred strike-breakers, to work on the wharves of the Louisville Naishville Railroad, arrived here today on special trains from Kentucky and Alabama, accompanied by fifty detectives, and were sent to the three export wharves to load and unload steamships which had been idle for three days on account of the strike of the longshoreman.

The strike-breakers are guarded by policemen and detectives.

## BIG ACID SALE

Newly incorporated Fertilizer Company Enters Into a Big Contract.

NEW YORK, November 23.—The directors of the Tennessee Copper Company for the sale of the copperated Independent Fertilizer Company is to pay to the Contract. In addition to the price to be paid for the acid, the Independent Fertilizer Company is to pay to the Tennessee Copper Company's sulphuric acid. Under the terms of the contract, in addition to the price to be paid for the acid, the Independent Fertilizer Company is to pay to the School of the S

## ARKANSAS TORNADO

ARKANSAS TORNADO

Reports of Great Loss of Life and Property Are Received.

LITTLE ROCK, ARK., November 24.

—According to advices received up to induight, meagre because of the remoteness of the regions affected, more than a score of lives were lost and many persons were injured in a tornado which swept the northwestern part of Arkansas late yesterday, partly demolishing several towns and razing vast tracts of timber. The region reported storm-swept is removed from both telegraph and railroads, and details and confirmation of many of the reports are lacking.

The tornado, which, having from the southwest crossed the Arkansas River several miles south of the settlement of Piney, and proceeding in a north-easterly direction, swept through London, Wallerville, Jethro, Lodi, Lewis-wille, Paterson and Berryville and outlying portions of Mulberry, either wrecking or laying waste the larger part of these places, and destroying timber and crops throughout the intermediate country.

At Piney, it is said, twelve persons were killed and a number injured. Almost the entire settlement was demolished, at London, ten persons are reported to have lost their lives, while considerable damage to property occurred. Wallerville and Jethro are reported edestroyed, several fatalities occurring in each place.

Near Mulberry, the death list is placed at five. At Berryville, Mrs. J. O. Hoskins was seriously hurt and several other persons sustained lesser injuries. A path 100 yards wide was cuthrough the town, six buildings being wrecked and a number of others damaged, either being torn from their foundations or unroofed. Here the property loss is estimated at about \$25,000.

Frow outlying regions considerable damage to property is also reported, but no loss of User of

oron outlying regions considerable damage to property is also reported, but no loss of life.

At Lodi three buildings were destroyed, and one person, a woman, was seriously injured.

Advices from Lewisville, in the western portion of Lafayette county, report the destruction of several buildings.

At Patmos considerable damage to property, as well as injury to a number of persons, is reported.

## WANTS TITLE Cincinnati Man Gets Name Changed. One Heir Lives Here.

One Helr Lives Here.
[Special to The Times-Dispatch.]
CINCINNATI, O., November 23.—
Joseph W. Pomfrey, through County
Judge Stephens, to-day had his name
changed to Joseph Spottswood Pomfret, in order that he may claim a
British title and his share of an estate he says is worth nearly \$20,000,-

Pomfret, he declares, is his correct Fomfret, he declares, is his correct name, but some of his ancestors turn-ed it into Pomfrey, and the changing back of the adopted name is one of the legal steps necessary before he can come into the possession of the estate.

estate.

Pomfret has just returned from London, and says he has positive evidence that he and thirteen others in various parts of the United States are the rightful heirs to the property.

P. S. Pomfrey, who is a driver for one of the ice companies in Richmond, is in possession of all the facts concerning the fortune except the difference in the name. With his relatives, who live in New Kent county, he has employed counsel to look after the claims of the Virginia branch of the family.

partner, but represented to him that the birds would cost \$3,200, and induced him to advance the whole sum the birds, and, according to the charge, birds, and, according to the charge, them birds, and and several with session under the birds and and several with the belief that the court will not be in regular session until Friday is general.

Immediately before court opened Judge L L Lewis, United States District Attorney, moved the admission to the bar of John H. Marble, attorney for the interstate Commission, who will assist him in the prosection will assist him in the p

# OLD STORY OF FALSE BILLING

PRICE TWO CENTS.

Former Councilman, Under Oath in Gilbert Trial, Describes Rebate Scheme.

## FLAYED BY CARTER, GILBERT'S COUNSEL

Jury Secured and Some Testimony In When Court Adjourns Out of Respect to Judge Leake. Defendant Enters Plea of Not Guilty.

BRUPTLY closing in a discussion as to the admissability of evidence relating to a devised and prearranged scheme between Alexander P. Gilbert, assistant general freight agent of the Chesapeake and Ohio Railway, on trial for granting rebates, and H. Oille Gates, shipping clerk for W. R. Johnston & Co., alleged beneficiaries under a fraudulent scheme of reconsigning grain shipments, the first day's hearing of the famous rebate cases in the United States District Court yesterday served to disclose the fact that flagrant crimes had been committed somewhere.

Complacently confessing his guilt of numerous forgeries of expense bills, Gates a former city Courtellness had

Complacently confessing his guilt of numerous forgeries of expense bills, Gates, a former city Coupnellman, who is regarded as the star witness for the government, told of how he had devised the plan, which would mean a great saving to his employer. He took the stand shortly after the afternoon session opened, and for two hours ignored the gaze of many listeners, and recited his story.

Marble Assisting Lewis.

## Marble Assisting Lewis.

Frequently interrupted by counsel for the defense, and now and then prompted by his associate, J. H. Marble, attorney for the Interstate Commerce Commission, by which the in-vestigation of local shipping was con-ducted, Judge L. L. Lewis, district at-torney, propounded his questions care-fully, little sparing the man who had willingly consented to lay bare the details of the so-called premeditated schemes.

is in possession of all the flacts concerning the fortune except the difference in the name. With his relatives, who live in New Kent county, he has employed counsel to look after the claims of the Virginia branch of the family.

\*\*CLERK WON GIRL\*\*

Norfolk Youth Hopes Father Likes It, But Is Happy, Anyhow.

[Special to The Times-Dispatch.]

DETROIT, MICH., November 23.—

William Barkley, twenty-two years old, of Norfolk, Va., arrived here to-day and married Blanche Duncan, of the same city, wealthy, and whose father had twice spirited her away from him because he was only a poor post-office clerk.

A sister of Miss Duncan is responsible for Barkley's good luck. After Blanche had been kept away a year and then brought home, Barkley called to see her and she was sent North to visit a sister here. Her father told Barkley she was in Canada, but Blanche's sister gave the wooer the right tip, and he

Blanche had been kepl away a year and then brought home. Barkley called to see her and she was sent North to visit as sister here. Her father told Barkley she was in Canada, but Blanche's sister gave the wooer the right tip, and he started at once for Ann Arbourse clerks here for help. They knew at once where Miss Duncan was visiting, and one of them conducted Barkley to the residence. They were rebuffed at first, but finally were admitted on condition that Mr. Barkley would have to be searched for firearms.

That over, the lovers were allowed to see each other. The sister gave a reluctant "bless you," and at 6 o'clock the couple were married. They left at the the south.

Thope there will be no trouble with my father-in-law," said Barkley, "for I am the happiest man on earth."

KOCH COMPLAINS

Newport News Man Gets Badly Worst-call in Ostrich Beals.

Special in Ostrich Beals.

Special in Ostrich Beals.

Special of trimes Dispatch.

NEW YORK November 23.—William W. Ford, who lives at the Hotel Rolland, and who introduced racing ostriches in this country, was arraigned in the Centre Street Police Court today on a charge of grand larceny. The complainant was Charles Koch, of Newport News, Va., who claims that Ford got money from him illegally on an ostrich deal.

The police say that Ford loarned from Frank Kreisler, a Hoboken and the birds, and according to the charge divided the remaining \$1,700 between them.

Ford then disappeared. Kreisler was arrested in Hoboken, and is now awalts arrested in Hoboken, and is now awalts arrested in Hoboken, and is now awalts.

Ford then disappeared. Kreisler was arrested in Hoboken, and is now awalts.

Crescent train as it was entering Macon, Ga. Colonel Zimmerman went to Florida several weeks ago on account of his health, but became very ill a week ago and started for home. He was born in Ohio seventy-two years ago.

He was colonel of the regiment in Which the late President McKinley enlisted as a private. It was Colonel Zimmerman who later issued a commission of lieutenant to the young private.

Colonel Zimmerman was one of the pioneer operators of the hlock coal operators of the Block Coal Operators' the Block Coal Operators' Association. He leaves a widow and three children. (Continued on Second Page.)